

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

UNITED STATES OF AMERICA,

Plaintiff,

:

Case No. 3:08-cr-116

- vs -

District Judge Walter H. Rice

Magistrate Judge Michael R. Merz

JAYSON JONES,

Defendant.

:

---

**REPORT AND RECOMMENDATIONS**

---

This case is before the Court on Defendant Jayson Jones' Motion for Reduction of Sentence pursuant to the First Step Act (ECF No. 485). As a post-conviction motion for amendment of the judgment, it has been referred to the undersigned under General Order Day 13-01 for a report and recommendations.

The Motion was filed and served April 5, 2019, by counsel appointed to represent Mr. Jones in this matter under S. D. Ohio Civ. R. General Order 19-01. Under S. D. Ohio Civ. R. 7.2, the United States had until April 26, 2019, to oppose the Motion but has not done so.

Upon examination the Motion appears to be well-taken in that it shows Defendant is entitled to relief under the First Step Act. It is therefore respectfully recommended that the Motion be GRANTED and that the District Court set this matter for a new sentencing proceeding

and order an updated Presentence Investigation to include new statutory and Guidelines calculations and any rehabilitation efforts Jones has completed during his incarceration.

April 30, 2019.

s/ *Michael R. Merz*  
United States Magistrate Judge

### **NOTICE REGARDING OBJECTIONS**

Pursuant to Fed. R. Civ. P. 72(b), any party may serve and file specific, written objections to the proposed findings and recommendations within fourteen days after being served with this Report and Recommendations. Such objections shall specify the portions of the Report objected to and shall be accompanied by a memorandum of law in support of the objections. If the Report and Recommendations are based in whole or in part upon matters occurring of record at an oral hearing, the objecting party shall promptly arrange for the transcription of the record, or such portions of it as all parties may agree upon or the Magistrate Judge deems sufficient, unless the assigned District Judge otherwise directs. A party may respond to another party's objections within fourteen days after being served with a copy thereof. Failure to make objections in accordance with this procedure may forfeit rights on appeal. *See United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981); *Thomas v. Arn*, 474 U.S. 140, 153-55 (1985).